

Jan Wroncy  
(b) (6)  
12/30/2010 02:23 PM

To: Chad Schulze  
cc  
bcc  
Subject: Re: Fw: We have an urgent situation at Triangle Lake School  
off Highway 36

The area (about 3 acres) on the steep slope owned by the School has been planted with NON-Commercial tree species, and I believe could not be legally be managed as timberland because of the zoning and the danger (landslide) to the school (70% slope or more).

This is not timber management. Because of the extreme landslide hazard, the steepness of the slope and the immediate proximity to the classrooms full of children, it is extremely dangerous to kill the re-sprouting Maple which is the only thing with a large root system presently holding the slope! W ARE CURRENTLY ARE AT FLOOD STAGE.

I have a call into Paul Clements to try to clarify the use of the land, and outline the hazard (landslide and pesticide poisoning) to the children at this school. I will also try to reach someone at Lane County Planning to verify the proper uses of the land (including the hillside) which is zone Rural Public Facility (RPF).

More in a bit...

On 12/30/2010 12:51 PM, Schulze.Chad@epamail.epa.gov wrote:

> Hi Jan,  
>  
> Here is EPA HQ's response regarding the use of Arsenal on the land  
> directly behind the school. Looks like they can use the product as long  
> as they are managing the area as "forest trees - non-ornamental".  
>  
> I also spoke with Mike about the licensing issue and he stated that both  
> public and commercial licenses can apply pesticides on public property.  
> The main difference between the licenses is simply who the applicator is  
> employed by. If they work for a school or government they would have a  
> "Public" license, if they worked for a private business they would have  
> a "Commercial" license.  
>  
> Has the application happened yet? Would the school board listen to the  
> community's concerns and be open for alternative measures?  
>  
> Talk to you soon ...  
>  
> \*\*\*\*\*  
> Chad C. Schulze, Pesticides Enforcement Team Lead,  
> Deputy Unit Diving Officer  
> Pesticides and Toxics Unit  
> Office of Compliance and Enforcement  
> U.S. EPA Region 10 (OCE-084)  
> 1200 6th Avenue, Suite 900  
> Seattle WA 98101  
> 206-553-0505 (ph)  
> (b) (6) (cell)  
> 206-553-1775 (fax)  
> schulze.chad@epa.gov  
> <http://yosemite.epa.gov/r10/ECOCOMM.NSF/Pesticides/Pesticides+Homepage>

>  
> EPA DIVE TEAM:  
> <http://yosemite.epa.gov/r10/oea.nsf/webpage/dive+team>  
>  
> ----- Forwarded by Chad Schulze/R10/USEPA/US on 12/30/2010 12:43 PM  
> -----  
>  
> From: Jim Tompkins/DC/USEPA/US  
> To: Chad Schulze/R10/USEPA/US@EPA  
> Date: 12/29/2010 05:15 AM  
> Subject: Re: Fw: We have an urgent situation at Triangle Lake School  
> off Highway 36  
>  
>  
> If the school manages the area as a "forest trees non-ornamental" then  
> it should be consider as a use on "forest trees non-ornamental" The  
> school should ensure that all the restrictions on the label regarding  
> reentry are followed.  
>  
> Jim Tompkins  
> Team Leader 25  
> Herbicide Branch  
> Registration Division  
>  
> Phone 703 305 5697  
> Fax 703 308 0029  
> E-mail Tompkins.jim@EPA.GOV  
>  
>  
>  
> From: Chad Schulze/R10/USEPA/US  
>  
> To: Jim Tompkins/DC/USEPA/US@EPA  
>  
> Date: 12/28/2010 06:32 PM  
>  
> Subject: Fw: We have an urgent situation at Triangle Lake School off  
Highway 36  
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>  
> Hi Jim,  
>  
> As I mentioned in my voice mail, the below citizen is concerned about  
> the use of Arsenal (EPA Reg. No. 241-299) on a buffer strip owned by a  
> school but managed as a forest area. Since "Schools" does not appear on  
> the label she feels it would be a misuse. This strip comes right up to  
> the edge of the school (see attached photos) and was recently logged.  
>  
> [attachment "TriangleLake School 2\_tag.jpg" deleted by Jim  
> Tompkins/DC/USEPA/US] [attachment "Triangle Lake School 1\_tag.jpg"  
> deleted by Jim Tompkins/DC/USEPA/US] [attachment "Triangle Lake School  
> 3\_tag.jpg" deleted by Jim Tompkins/DC/USEPA/US]  
>  
> You can see that the maples have taken over the hill side which  
> interestingly is in violation of the Oregon Forest Praticies Act. This  
> act requires that harvested forest plots be replanted with conifers and  
> be "free to grow" with six years. "Free to Grow" is the stage where the

> replanted conifers are tall enough to shade / out compete unwanted  
> species.  
>  
> Any thought you have on this would be appreciated.  
>  
> Thanks and Happy New Year!  
>  
> \*\*\*\*\*  
> Chad C. Schulze, Pesticides Enforcement Team Lead,  
> Deputy Unit Diving Officer  
> Pesticides and Toxics Unit  
> Office of Compliance and Enforcement  
> U.S. EPA Region 10 (OCE-084)  
> 1200 6th Avenue, Suite 900  
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>  
> EPA DIVE TEAM:  
> <http://yosemite.epa.gov/r10/oea.nsf/webpage/dive+team>  
>  
> ----- Forwarded by Chad Schulze/R10/USEPA/US on 12/28/2010 03:04 PM  
> -----  
>  
> From: Jan Wroncy (b) (6)  
> To: Chad Schulze/R10/USEPA/US@EPA  
> Date: 12/28/2010 01:22 PM  
> Subject: We have an urgent situation at Triangle Lake School off  
> Highway 36  
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>  
>  
> Hi Chad,  
>  
> The Triangle Lake School plans to contract a private pesticide  
> applicator to apply Arsenal Applicator's Concentrate right next to the  
> school classrooms on land zoned Rural Public Facilities (School, Grange  
> and associated buildings, Principal's home, Doctor's medical office). I  
> can not find any use of Arsenal permitted on school grounds, or school  
> campuses so I believe that this forestry use is a violation of the  
> label. It certainly presents an inhalation hazard to school children,  
> parents, teachers and the staff.  
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